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October 20, 2022

Re: *Nexstar Media Inc. v. Comcast Cable Communications, LLC*, No. 1:21-cv-06860-JGK-SDA

VIA ECF

The Honorable Stewart D. Aaron
United States District Court for the Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Dear Judge Aaron:

We represent Comcast Cable Communications, LLC (“Comcast”) in the above-referenced action. Pursuant to Your Honor’s Order of October 6, 2022 (Dkt. No. 154) (“October 6 Order”), we write jointly with counsel for Nexstar Media Inc. (“Nexstar”) and Mission Broadcasting, Inc. (“Mission”) to provide a status update on the parties’ compliance with the Court’s directives in response to Comcast’s letter-motions to compel discovery (see *id.*; Dkt. No. 155 (Transcript Ruling)).

Comcast and Nexstar

Comcast and Nexstar have met and conferred telephonically on several occasions (including as recently as October 19, 2022) and are making progress in implementing the Court’s above-referenced directives. Comcast and Nexstar have exchanged the search terms, document custodians, and date ranges that each party has used to identify potentially responsive electronic discovery to date. Nexstar also has proposed parameters to govern its collection of additional materials potentially responsive to each of those specific Requests for Production (Nos. 2-4, 7, and 15-21) that were the subject of Comcast’s letter motion, which proposal Comcast is currently evaluating. Nexstar also has requested that Comcast use additional document custodians and search terms to identify potentially responsive discovery, which request Comcast is currently considering.

Comcast and Mission

Mission has proposed search terms, custodians, and date ranges to govern its collection of additional documents in response to two Requests for Production (Nos. 8 and 9) that were the subject of Comcast’s letter motion. Comcast understands that Mission intends to comply with the remaining three disputed Requests (Nos. 3, 4, and 16)—which seek documents “sufficient to show” the requested information—through the production of specifically curated or created materials. Comcast has counter-proposed certain revisions to the search parameters provided by Mission, and the parties are continuing to negotiate. As of the time of submission of this letter, Comcast and Mission have not yet met and conferred regarding Request Nos. 8 and 9 but are in the process of scheduling such a discussion.

Earlier today, Mission provided Comcast with the search parameters it has used to date for the remaining Comcast Requests for Production to which Mission voluntarily agreed to respond. Comcast is reviewing

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this information and has provided its own document collection protocol in exchange. The parties intend to meet and confer about these search parameters as needed.

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Finally, the parties note that they are discussing a schedule to govern the remainder of discovery in this matter and hope to submit a joint proposal for the Court's consideration in the near future.

We thank the Court for its attention to these matters.

Respectfully submitted,

/s/ Dana M. Seshens
Dana M. Seshens

cc: All counsel of record (via ECF)